

<b>AUDIENCE</b>	<b>INTERNAL</b> <input checked="" type="checkbox"/>	<b>EXTERNAL</b> <input checked="" type="checkbox"/>
<b>POLICY ID</b>	EDN-008-POL – Complaints and Appeals Policy and Procedure	
<b>RESPONSIBLE OFFICER</b>	Campus Manager/State Manager	
<b>CONTACT OFFICER</b>	Campus Manager/State Manager	
<b>ENDORSED BY</b>	Continuous Improvement Committee	
<b>ENDORSEMENT DATE</b>	24/08/16	
<b>EFFECTIVE DATE</b>	24/08/16	
<b>VERSION</b>	15	
<b>SUPERSEDES</b>	14	
<b>REVIEW DATE</b>	28/11/17	

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## 1. Introduction

### 1.1 Modification History

VERSION	COMMENTS
2	Formatting of content table
4	DIISRTE updated to DIICCSRTE The Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education
5	Clarification of policy scope to include all MEGT Education entities
6	Updated DIAC - Department of Immigration and Citizenship to DIBP - Department of Immigration and Border Protection in flow chart
7	Updated DIICCSRTE Acronym to Department of Education Updated DIBP Acronym to Department of Immigration and Border Protection in flow chart
8	Removed reference to MEGT Education Group
9	Updated footer to include updated CRICOS code
11	Reviewed to align with VET Standards for Registered Training Organisations (RTOs) 2015
12	Updated flow chart to state Complaints and Appeals Committee (CAC) handle appeal of an internal decision rather than an individual.
13	Deferred review date until second half of 2016
14	Titles in the policy reviewed
15	eLearning Manager title removed

### 1.2 Purpose

This policy is implemented to make all students aware of their right to appeal and/or make a complaint against any decision or fact that has affected their study experience at MEGT Education.

## 2. Scope

This policy applies to all students and staff of MEGT Education.

## 3. Legislative Context

In Compliance with the Standard 8 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (2007), Chapter 5 of the VET Guidelines 2015, and Standard 6 of the Standards for Registered Training Organisations (RTOs) 2015 MEGT Institute and ABILITY English have implemented internal and external complaints and appeals handling processes available to both international and domestic students

## 4. Definitions

**Complaint** refers to an expression of dissatisfaction with academic or non-academic services. A complaint can be raised by a student who believes there are sufficient facts and reasons to support a claim against another party or parties or against a decision made.

**Appeal** is a process for requesting a review of an official decision made.

**Formal Complaint or Appeal** refers to an official complaint. To be considered a formal complaint or appeal, it must be submitted in writing on the Complaints and Appeals Form

**Informal Complaint or Appeal** refers to an unofficial complaint that has not been formalised in writing on the Complaints and Appeals Form

### **MEGT Education:**

MEGT (Australia) Ltd, trading as MEGT Institute  
Ability Education Pty Ltd, trading as ABILITY English

**Complainant** refers to the person who formally lodge a complaint or appeal

**Academic Complaint and Appeal** refers to a complaint or an appeal against a decision made about an assessment outcome, failure to meet a satisfactory academic progress, and/or the quality of the course delivery.

**Non Academic Complaint and Appeal** refers to a complaint or appeal in relation to a service provided by MEGT Education, directly or indirectly via a third party that is non-academic in nature

**Parties** refers to a complainant and a respondent

**Respondent** refers to the person, department or organization or service against whom the complaint or appeal is lodged

**Domestic Student** refers to a student of MEGT Institute who is an Australian Citizen or a permanent resident of Australia

**International Student** refers to a student of MEGT Institute or ABILITY English who is not an Australian Citizen or Permanent Resident

**Overseas Students Ombudsman** is a role created under the Education Services for Overseas Students (ESOS) Legislation Amendment Act 2011 to resolve complaints and help private Education Providers improve policies and practices to enhance the quality of International Education in Australia.

## 5. Policy

The intent of this policy is to ensure fairness applies to complaints and appeals management within MEGT Education, including:

- All parties have the right to be heard and all evidence will be considered
- Matters that are not relevant to the complaint or appeal will not be taken into account
- The decision maker will not be biased

The complaints and appeals handling process will ensure that:

- Students have access to a process for resolving complaints formally
- All formal complaints must be recorded on the Complaints and Appeals Register
- Complainants shall not be victimised as a result of making a complaint or appealing a decision
- Complaints and appeals will be dealt with in a timely manner and within the timeframes required by legislative instruments and as outlined in procedure
- All parties will be informed of the progress of a complaint or appeal
- Complainants shall have the right to access external complaints and appeals processes in circumstances where internal complaints or appeals were not dealt with satisfactorily
- Complaints and appeals will be dealt with in accordance with the procedures attached to this policy.

MEGT Education classifies complaints and appeals into two categories:

1. Informal Complaints and Appeals
2. Formal Complaints and Appeals

Throughout the complaints or appeals process, MEGT Education will maintain the student's enrolment whilst the internal complaints and appeals process is ongoing and will keep all parties involved of the steps taken throughout the process.

If a complainant is an international student, MEGT Education will not notify the Department of Education of any change to the student's enrolment status through the Provider Registration and International Student Management System "PRISMS" until the internal process is completed.

## 6. Procedures

Procedures are in place within MEGT Education to assist with the implementation of this policy and to provide guidance for all parties on their roles and responsibilities throughout the complaints and appeals process. Complaints and appeals shall be dealt with in accordance with the processes and principles outlined in these procedures, and depending on the nature of the complaint or appeal, or the format in which the complaint was communicated to MEGT Education, and shall be considered to be informal or formal.

## **6.1 Informal Complaint or Appeal (Academic or non Academic matters)**

Informal complaints are those **not** logged on the Complaints and Appeals Form. Refer to definitions section. The intent of informal complaints and appeals is to provide a platform for all parties to try to resolve any matters informally and is the process all parties can take as the first mechanism to seek resolution of a complaint or appeal regardless of whether the complaint or appeal relates to academic or non academic matters.

The parties involved in an informal resolution of a complaint or appeal will attempt to resolve the matter via discussion, negotiation and agreements in the first instance. Informal complaints are not a compulsory step.

### **Parties may involve:**

- Complainant
- Student Services Officer (SSO)
- Trainer / Teacher
- Education Manager / Program Leader
- Campus Manager / State Manager

### **Guidelines for an Informal Complaint or Appeal**

Please refer to the MEGT Education Informal Complaints and Appeals Process Map in this document.

## **6.2 Formal Complaint or Appeal (Academic or non Academic matters)**

The Formal Complaints and Appeals Process takes place when an informal complaint has not been resolved via verbal discussion and negotiation and progresses to a formal stage via written submission lodged on the Complaints and Appeals Form. The Formal Complaints and Appeals Process is activated and overrides the Informal Complaints and Appeals Process in any and all instances where a complaint or appeal is received by MEGT Education on the Complaints and Appeals Form. In cases where complaints or appeals are received in writing, complainants are to formalise their complaint or appeal by completing the Complaints and Appeals Form and lodging to [complaints\\_appeals@megt.com.au](mailto:complaints_appeals@megt.com.au)

### **Parties Involve:**

- Complainant
- Education Manager / Program Leader
- Student Services Officer (SSO)
- Campus Manager / State Manager
- Overseas Students Ombudsman (for international students)
- ASQA (for domestic VET students).

### **Guidelines of a Formal Complaint Internal Complaints or Appeals**

Complainants must submit their written complaint or appeal to [complaints\\_appeals@megt.com.au](mailto:complaints_appeals@megt.com.au) on the Complaints and Appeals Form available at

[www.megtinstitute.edu.au](http://www.megtinstitute.edu.au) and [www.ability.edu.au](http://www.ability.edu.au) . Upon receipt of the complaint, all complaints and appeals will be dealt with in accordance with the Complaints and Appeals Process Map attached to this document.

MEGT Education records all formal complaints and appeals received from complainants on the Complaints and Appeals Register.

### **External Independent Appeals**

If the complaint or appeal has not been resolved via the internal process, complainants will have the right to lodge an appeal to an External Independent Organisation.

**Domestic students:** Domestic VET students who wish to lodge a complaint can contact the Australian Skills Quality Authority (ASQA). For contact details and information please see <http://www.asqa.gov.au/complaints/complaints.html>

**International Students** who are dissatisfied with the outcome of the internal complaints and appeals process may make a written request to the MEGT Education Complaints and Appeals Committee for an independent external review of the decision. The **Overseas Students Ombudsman** offers a free and independent service for international students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. International students who wish to lodge an external appeal can do so by contacting the Overseas Students Ombudsman directly, details available on the Ombudsman website <http://www.oso.gov.au/contact-us/index.php>

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au) or phone call to 1300 362 072.

Alternatively, both domestic and international VET students can contact the National Training Complaints Hotline by:

Phone: 13 38 73, Monday–Friday, 8am to 6pm nationally.

Email: [skilling@education.gov.au](mailto:skilling@education.gov.au)

### **6.5 Record keeping and confidentiality**

MEGT Education providers adhere to the National Privacy Principles which refers to the principles from the Privacy Amendment (Private Sector) Act 2000. The MEGT Education Privacy Policy governs how information collected is handled and stored.

Records of Complaint and Appeals for external review of decisions are kept and accessible only to authorised parties for a period of 5 years.

## **7. Related Policies & Procedures**

EDN-007-POL – Transfer Between Registered Providers Policy and Procedure

EDN-008-POL – MEGT/ABILITY Fees, Charges and Refunds Policy – Non VET Fee Help

EDN-0010-POL – Monitoring Course Progress Policy and Procedure

EDN-016-POL – Compassionate and Compelling Circumstances Policy

EDN-006-POL – Student Support Services Policy and Procedures

EDN-038-POL – Privacy Policy and Procedure

## **8. Implementation**

EDN-008-POL – Complaints and Appeals Policy and Procedure is made available externally via the MEGT Institute and ABILITY English websites and internally on the MEGT Intranet.

## 9. Responsibilities

The Campus Managers/State Managers will review this policy annually, or in case of legislative changes requiring amendments.

## 10. Attachments

MEGT Education Informal Complaint and Appeal Process Map

MEGT Education Formal Complaint and Appeal Process Map

*Available on MEGT Intranet:*

[Complaints and Appeals Form](#)

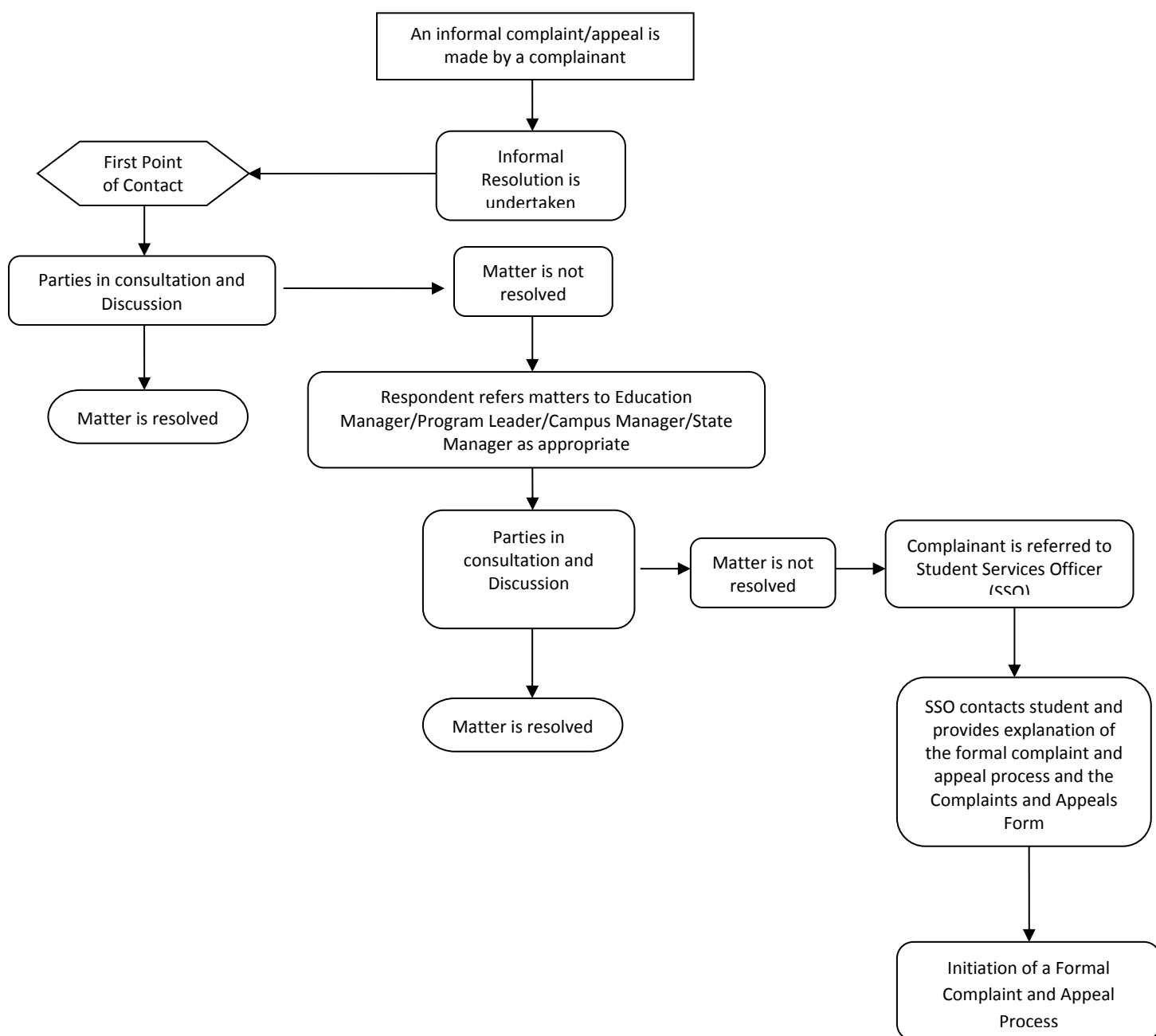
[Complaints and Appeals Acknowledgement Letter](#)

[Successful Complaints and Appeals Response Letter](#)

[Unsuccessful Complaints and Appeals Response Letter](#)

## 11. Process Maps

### 11.1 MEGT Education Informal Complaint and Appeal Process Map





## 11.2 MEGT Education Formal Complaint and Appeal Process Map

